

## REMARKS

### Summary of Office Action

Claims 1-53, 57-108, and 112-164 were pending in this application.

Claims 1, 2, 7, 13, 15, 17-40, 57, 58, 63, 69, 71, 73-95, 112, 113, 118, 124, 126, and 128-151 were rejected under 35 U.S.C. § 102(e) as being anticipated by Schein et al. U.S. Patent No. 6,002,394 ("Schein"). Claims 3, 4, 9, 10, 59, 60, 65, 66, 114, 115, 120, and 121 were rejected under 35 U.S.C. § 103(a) as being obvious from Schein in view of Lawler et al. U.S. Patent No. 5,699,107 ("Lawler"). Claims 5, 6, 11, 12, 61, 62, 67, 68, 116, 117, 122, and 123 were rejected under 35 U.S.C. § 103(a) as being obvious from Schein in view of Ming et al. U.S. Patent No. 5,710,815 ("Ming"). Claims 8, 14, 64, 70, 119, and 125 were rejected under 35 U.S.C. § 103(a) as being obvious from Schein in view of Casement et al. U.S. Patent No. 5,969,748 ("Casement"). Claims 16, 72, and 127 were rejected under 35 U.S.C. § 103(a) as being obvious from Schein in view of Seibert U.S. Patent No. 6,601,107 ("Seibert").

Claims 41, 44, 50, 96, 99, 105, 152, 155, and 161 were rejected under 35 U.S.C. § 103(a) as being obvious from Schein in view of Watts et al. U.S. Patent No. 6,324,694 ("Watts"). Claims 42, 48, 97, 103, 153, and 159 were rejected under 35 U.S.C. § 103(a) as being obvious from Schein in view of Watts and further in view of Lawler. Claims 46, 52, 101, 107, 157, and 163 were rejected under 35 U.S.C. § 103(a) as being obvious from Schein in view of Watts and further in view of Woo U.S. Patent No. 5,485,219 ("Woo"). Claims 47, 53, 102, 108, 158, and 164 were rejected under 35 U.S.C. § 103(a) as being obvious from Schein in view

of Watts and further in view of Block et. al. U.S. Patent No. 6,675,384 ("Block").

Each of claims 43, 45, 49, 51, 98, 100, 104, 106, 154, 156, 160, and 162 was objected to as being dependent upon a rejected base claim, but allowable subject matter has been indicated.

#### Summary of Applicants' Reply

Applicants note with appreciation the indication of allowable subject matter in claims 43, 45, 49, 51, 98, 100, 104, 106, 154, 156, 160, and 162, and hereby expressly reserve the right to rewrite any one or more of those claims in independent form if its respective base claim is not ultimately allowed.

Applicants have cancelled claims 1-40, 57-95, and 112-151 without prejudice. In addition, applicants have amended claims 41, 48-53, 96, 104-108, 152, and 159-164 to more particularly define the subject matter of the claimed invention. Support for these amendments may be found throughout the specification, for example, in page 42, lines 3-10\*. No new matter has been added.

The Examiner's rejections and objection to the claims are respectfully traversed.

#### The Rejection of Claims 41, 96, and 152

The Examiner rejected claims 41, 44, 50, 96, 99, 105, 152, 155, and 161 under 35 U.S.C. § 103(a) as being obvious from Schein in view of Watts. Claims 42, 48, 97, 103, 153, and 159 were rejected under 35 U.S.C. § 103(a) as

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\* The recitation of support is not intended to be exhaustive. Support may be found elsewhere in the specification.

being obvious from Schein in view of Watts and further in view of Lawler. Claims 46, 52, 101, 107, 157, and 163 were rejected under 35 U.S.C. § 103(a) as being obvious from Schein in view of Watts and further in view of Woo. Claims 47, 53, 102, 108, 158, and 164 were rejected under 35 U.S.C. § 103(a) as being obvious from Schein in view of Watts and further in view of Block. The Examiner's rejections are respectfully traversed.

Applicants' amended independent claims 41, 96, and 152 relate to systems and a method for providing program guide data to an interactive television program guide implemented on user television equipment. The program guide data includes unique identifiers associated with television programs. A particular unique identifier associated with a particular television program is selected for inclusion in a continuous data stream, where the particular television program belongs to a program grouping. The particular unique identifier is distributed to the user television equipment in the continuous data stream only when the particular television program is currently being broadcasted. The interactive television program guide implemented on the user television equipment monitors the continuous data stream for the presence of the particular unique identifier, which indicates when the particular television program is currently being broadcasted. The interactive television program guide performs: 1) a real-time action associated with the particular television program when the particular unique identifier is detected in the continuous data stream, and 2) an action associated with at least one other television program belonging to the program grouping.

The Examiner contends that Schein and Watts, in combination, disclose all the features of applicants'

independent claims 41, 96, and 152. In particular, the Examiner admits that "Schein is silent about receiving a unique identifier only when the particular television program is currently being broadcasted and the particular unique identifier indicating when the particular television program is being currently broadcasted" but applies Watts to make up this deficiency. See Office Action, page 18, line 20 to page 19, line 12. The Examiner contends that Watts describes "monitoring the continuous data stream for the presence of the particular unique identifier, wherein the particular unique identifier is distributed [only] when the particular television program is being currently broadcast." See Office Action, page 19, lines 6-10. Applicants respectfully disagree.

Watts discloses providing subsidiary data synchronous to primary content data. As discussed in Watts in connection with FIG. 1, each piece of a portion of subsidiary data includes a particular "tag value." See Watts, column 7, lines 30-33. The primary content also includes a tag value or identifier identifying its corresponding piece of subsidiary data. See Watts, column 7, lines 33-36. The tag values are used to synchronize the identified piece of subsidiary data to the program of primary content data. See Watts, column 7, lines 39-42.

Applicants respectfully submit that Watts fails to show or suggest distributing a particular unique identifier to the user television equipment in a continuous data stream only when a particular television program is being currently broadcasted, as specified in applicants' independent claims 41, 96, and 152. Instead, synchronization logic 141 of Watts uses the tag values described above to identify a particular piece of subsidiary data corresponding to the portion of the

program currently being displayed. See Watts, column 7, lines 16-28. If the program and its corresponding subsidiary data were transmitted simultaneously in lock-step, the system of Watts would not require tag values to synchronize the program to its subsidiary data -- it could simply receive and display them in unison. It is precisely because each piece of subsidiary data can be transmitted before, during, or after its corresponding program portion that the tag values and synchronization logic 141 are required. Because the primary content data of the program and the subsidiary data both include matching tag values, these tag values are not transmitted only when the program is being transmitted. Accordingly, applicants submit that Watts neither shows nor suggests distributing a particular unique identifier to the user television equipment in a continuous data stream only when a particular television program is being currently broadcasted, as specified by amended independent claims 41, 96, and 152.

In addition, applicants have amended independent claims 41, 96, and 152 to specify that the television programs belong to a program grouping, and to include performing an action associated with at least one other program belonging to the program grouping. For example, when a reminder for a program is displayed, the program guide may prefetch program listings data and additional program data for a group of programs. See applicants' specification, page 42, lines 3-10. Applicants respectfully submit that neither Schein nor Watts shows or suggests these features.

For at least the foregoing reasons, applicants respectfully submit that amended independent claims 41, 96, and 152 are patentable. Applicants also respectfully submit that dependent claims 42, 44, 46-48, 50, 52, 53, 97, 99, 101-

103, 105, 107, 108, 153, 155, 157, 158, 159, 161, 163, and 164 are patentable at least because they depend from allowable independent claims 41, 96, and 152.

The Objection to Claims 43, 45, 49, 51, 98, 100, 104, 106, 154, 156, 160, and 162

Each of dependent claims 43, 45, 49, 51, 98, 100, 104, 106, 154, 156, 160, and 162 is objected to as being dependent upon a rejected base claim. The reasons discussed above have demonstrated that independent claims 41, 96, and 152, from which those claims depend, are patentable. Accordingly, dependent claims 43, 45, 49, 51, 98, 100, 104, 154, 156, 160, and 162 are also patentable at least because their base claims are patentable. Therefore, applicants respectfully request that the objection to claims 43, 45, 49, 51, 98, 100, 104, 154, 156, 160, and 162 be withdrawn.

#### Conclusion

For at least the reasons discussed above, applicants submit that this application is in condition for allowance. Prompt consideration and allowance are therefore respectfully requested.

Respectfully submitted,



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